

North Carolina, near Raleigh

1880  
1881



To the Honorable John A Kelly Judge of the  
Circuit Court of Lee County Virginia.

Humbly complaining your orators  
Thomas J Ely & G. T. Cecil would respectfully  
represent and show your honor that at the  
August term 1880 of the County Court of said  
County, William A Balch was appointed by said  
County Court, Guardian for Mary J Danault &  
Jacob C Danault minor heirs at law of  
Russell B Danault deceased, and the said  
Wm A Balch, together with your orators and  
A. R. Surgenor his securities, entered into  
and acknowledged a bond as such guardian  
in the penalty of \$1500<sup>00</sup> conditioned according  
to law, (a copy of said bond is herewith filed  
marked "A") and took charge of the estate of his  
said wards, which consisted <sup>of</sup> ~~principally~~ <sup>entirely</sup> of a  
fund in the hands of James W Jayne former  
guardian for said minors, and which fund was  
turned ~~turned~~ over by said Jayne to said Balch  
on the 31st day of August 1880, as is shown by  
said Balch's receipt to said Jayne, a copy of  
which is herewith filed marked "B", and  
amounted to the sum of \$472.18, and your or-  
ators are informed this is all the estate that  
came to the hands of said Guardian (Balch).  
The said Wm A Balch continued as Guardian  
for his said wards until about the day of



1882. at which time he removed to, and now is a citizen of, the State of Arkansas, taking his said wards with him.

Your orators will now show your honor that the said ~~Wm~~ A Balb never made any settlement of his guardianship account with a commissioner, as was, by law, his duty to do, but before his removal from this county, disposed of his entire property both real and personal (except a small portion of his personal property which he carried with him) by sale to the said A. R. Surgener, but your orators are informed and allege that the said Surgener is still indebted to said Balb, on his said purchase, in a sum more than sufficient to cover any liability that may be ascertained to exist against your orators on account of their said suretyship.

Now the object of this bill is to have settlement made of the guardianship account of the said ~~Wm~~ A Balb, guardian for his said wards, and to ascertain the extent of his liability to his said wards, for which his securities in his official bond are responsible, and to subject to the payment and discharge of said liability, the fund in the hands of defendant Surgener owing to said Balb. And your orators being without remedy, except in a court of chancery, ask your honor



to take cognizance of their case. To this end they make Wm A Balch, A.R. Surgener, Mary J Danautt & Jacob C Danautt parties defendants to this bill, and ask that they be required to answer the same on oath, that the said Surgener answer and state the amount in his hands due his codefendant, Balch; that a guardian ad litem be appointed to answer for the infant defendants, and that order of publication be made against the nonresidents; and that proper process issue, and that the estate of the said Balch in this State be attached, whether in the hands of said Surgener or elsewhere, and held subject to the future order of the Court, and on a final hearing, that your honor appoint a commissioner to state & settle the account of said Balch guardian for his said wards, and ascertain his liability to them for which your orators may be held responsible, and that a decree be rendered, subjecting, to the payment of said liability, the fund in the hands of said Surgener; and that your honor take charge of said fund by the appointment of a Receiver or otherwise as may be proper, and that the same be held subject to the liability of said guardian to his said wards, and that your orators be released from further liability as securities for said guardian in his said official bond.



direct on account, of  
amt of indebtedness

<sup>1 R.D. & O.</sup>  
Thomas J Ely et al  
vs Bilbin Chancery.  
Jm A Balch et al.

It. Clerk, \$8.36  
" Cour 102. 7.50  
" 15.00  
" 5.00  
" 5.00  
G. & L. 5.00  
\$41.36

1883, Jan 18th. O.P. & Contd.  
" Feb, Spc Exctd an adult  
home depts. G. A. L. apptd  
for infant depts & his bus.  
" Mr. O. P. Comptd, Decree  
vici vs home adult depts  
Confirmed & set for hearing  
by Plaintiffs.  
1883 March, Decree & Contd.  
" Aug. Decree & Contd.  
" Novr, order Contd.  
1884 March Decree final

Refer to a commission  
to ascertain the amt of  
Sungun, over an acct  
of 17 1/2 p. 15 what  
the money due as  
guardian, and  
been a lien on the  
Sungun in debt  
was for the same  
due from B. & L.

And that your honor grant your orators such  
general and special relief as is entitled to  
your orators case. And as in duty bound  
they will ever pray.

Richard Duncan & Or.  
for Respondents.



To the Hon. John A. Kelly Judge of  
The Circuit Court of Lee County Va  
Your Petitioner James J. Muncy  
Guardian of Jacob L. & Mary J. Davanet  
humbly complaining sheweth unto  
your Honor. That Wm. A. Babb who was  
the former guardian of said infant  
had due him a debt from one  
A. R. Surgenor, S. S. Surgenor and James  
W. Orr, for which they on the 19<sup>th</sup> day  
of March 1881 executed their bond for  
the sum of \$415.02, due & payable one  
day after date, this bond is now  
due your petitioner having been turned  
over to him by said Babb. The said  
Surgenor, A. R. is also due your petitioner  
on an order from said Babb, the sum  
of \$78. due as of Aug. 29<sup>th</sup> 1883. These sums  
are fully shown by said note and  
order here to the Court-shown marked  
A. & B. as part. hereof. These debts are  
admitted by said Surgenor, and the note  
is the same bond mentioned in the plffs  
bill. Your Petitioner asks that he be  
made a party in room and stead of said  
Babb, and that said obliges be decreed to  
pay said bond over to him, and that A. R.  
Surgenor be decreed to pay the said \$78



also to your petitioner. Your petitioner  
 would further represent that his words should  
 not be subject to cost in this suit  
 because they are nowise in fault. But  
 that said Babb or the plffs should be  
 held liable therefor as your petitioner  
 is in duty bound ever pray.

A L Primmer  
 for Petitioner

James J. Murcym

W. J. Petitioner

Thomas J. Ely et al

Filed March Term 88  
 D. A. Hyatt  
 clerk

Chd 134



To the Hon. John A. Kelley, Judge of  
the Circuit Court of Lee County, Va.  
The answer of Wm A. Orr, Guardian  
ad litem for Mary J. Davault and  
Jacob B. Davault, Infants &c to a  
Bill filed in this Court by Thomas  
J. Cole and others against his said  
wards and others.

This Respondent Answering says, That  
he knows of no defense necessary  
to be made or that he can make  
for these infants, But knowing  
the relation which Courts of  
Equity have to Infants in matters  
of this sort, Your Respondent  
begs leave to place the rights  
and interests of these Infants  
into your Honor's hands.

Having answered as fully as  
is deemed necessary Respondent  
begs to be hence dismissed with  
his costs.

Wm A. Orr, Guardian  
ad litem

Sworn to before me by Wm A. Orr. Feb 1888.  
James W. Orr, Comr  
in Chancery.



Wm A. Orr, Guardian  
ad litem  
ad J. Answer

Thomas J. Ely et al  
Filed at Feb Rules 1883.  
J. A. Hyatt  
Clerk

chr 134

Fee \$5 - Paid by  
L. J. Ely.



To the Honorable John A Kelly Judge of the circuit  
court of Lee county Virginia.

The answer of A. R. Engener to a bill filed in  
this Honorable court against this respondent and  
others by Thomas J Ely & others. This respondent  
for answer to said bill, or so much thereof as  
he is advised it is material or necessary for  
him to answer, answering says, He is indebted  
to his codefendant Wm A Babb in a sum  
<sup>greater than</sup>  
~~exceeding~~ the amount shown in this cause, by  
Cmr. Hyatt's report, to be due from said Babb  
Guardian for Mary J. & Jacob C Danault to his  
said wards (\$562.37), Part of his said indebted-  
ness to his codefendant is purchase money for  
land and part of his said indebtedness, about  
\$400<sup>00</sup>, is for borrowed money, and <sup>is</sup> a part of  
the fund in said Guardian's hands of his said  
wards. And having now answered as fully  
as he is advised it is necessary or material,  
respondent prays to be hence dismissed with  
his costs.

Richmond Duncan & Orr.  
for respondent.



Virginia, Lee County, to wit.

This day A. R. Surgenor personally appeared before me and made oath that the facts stated in the foregoing answer are true so far as stated upon his own knowledge and so far as stated upon information derived from others he believes them to be true.

Given under my hand, Sept 3rd 1883.

James W Orr, Comr in  
Chancery.

A. R. Surgenor  
ado { answer.  
Thos J Ealy et al.



Thomas J. Ely et al  
Against  
Wm A. Babb Guardian &c.      deft. } Ind  
This cause came on again this day  
to be heard upon the papers formerly  
read; the report of Comm. John A. G.  
Hyatt filed March 10-1884, to which there  
are no exceptions; and the petition of  
James J. Muncy Guardian &c. ~~to which~~  
filed at this term of the Court and to  
which defendant A. R. Surgenor, by  
counsel enters his appearance <sup>and waives further process</sup> and  
the cause being argued by counsel -  
It is adjudged ordered and decreed  
that James J. Muncy present Guardian  
recover from A. R. Surgenor, on  
account of his indebtedness to Wm A.  
Babb former guardian, the sum of  
\$379. 24 and legal interest thereon  
from the 31<sup>st</sup> day of March 1884 - And  
that this sum when so paid to said  
Guardian by said Surgenor, shall be  
a proper credit to said Surgenor in  
his settlement with said Babb, and  
shall constitute a credit to said Babb  
in the settlement of said Babb's Guardi-  
anship accounts, of the words mentioned  
in said bill - It is further adjudged



ordered and decreed, that said Surgenner pay the costs of this suit, out of any other money that may be due from him to said Babb; which costs are hereby decreed to the plff against said Babb and when so said shall constitute a further credit to said Surgenner, in his settlement with said Babb, but the costs herein decreed are not to be charged to the infant or their guardian, nor shall they constitute any credit to said Babb in his guardianship account. - Execution may issue for the sums hereunder, and no further action being necessary the cause is stricken from the docket with leave to either party to reinstate the same for the purpose of enforcing this decree. - And the cause is stricken from the docket.

Thomas J. Ely and

Decree General

William A. Babcock  
March 7. 1884

March 2. 1884

Enders page 377.  
D. G. L. 1877  
W. H. 1877

22  
1872

Center Mrs  
March 28 1884  
Miss

March 28, 1884

22



Thomas J Ely et al

*Pluffs*

against

In chancery.

Mr A Babb et als. Defts

Gifts

This cause came on again this day to be further

heard upon the papers formerly read in the

cause and the report of J. A. G. Hyatt Commr. &c

and was argued by Counsel, and on Considera

tion thereof, said report is recommended to said  
said Comr. in addition to the matter heretofore referred-  
to person

our, and ~~he~~ will further ascertain and report

the ~~what~~ amount which defendant Engerer owes

to defendant Bahk, on account of the money

honoured by him from said Bahle as Guardian

for Mary J. & Jacob C. Danant, And the cause

is continued.



Thomas J Ely et al  
vs <sup>3</sup> Deere  
Wm A Bale et al

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Entered page 331  
J. A. Hyatt  
clerk

C -  
order  
for file  
Sept 3/03

Chw 1/34



Thomas J. Eley et al. — Plff

vs. — La Chey,  
William A. Bobb et al. — Defendants

This cause came on this 4<sup>th</sup> day of April 1883 to be heard upon the bill of the Plaintiffs and exhibits filed therewith. The answer of the infant Defendants by Wm A Orr their guardian ad litem and was argued by counsel — and it appearing to the Court that process and order of attachment has been duly served upon the Defendant A R Surgenor for more than 30 days before the 1<sup>st</sup> day of this term, and that order of publication has been duly made posted, published and circulated against William A Bobb, the non resident defendant the time required by law and that each of said defendants have failed to appear answer plead or answer the bill is taken for confessed, as to them. On consideration whereof it is adjudged ordered and decreed That John A. G. Hyatt one of the Commissioners of this Court do state and settle the guardian account of William A Bobb guardian of the infant heirs of R. B. Davault decd that the funds in the hands of A R Surgenor due to the Defendant Wm A Bobb, be held subject to the further order of this Court. But before said Commissioner proceeds to state and settle said account of said guardian



J. J. Ely et als  
vs  $\frac{1}{3}$  Deere

M<sup>re</sup> A. B. Babb et al

Entered page 313,  
J. A. Hyatt  
Clerk

Enter this decree

J. A. K.

Apr 4<sup>th</sup> 1883

Chas 134.

he above advised he will give said  
Babb. notice of the time and place  
of his sitting and the advice he is requir-  
ed to discharge under this decree  
he will report his opinion to court and  
this cause is continued



Thos. J. Ely et al  
vs

Defts

In Chancery

Wm. A. Babb Guar. to

Defts

The deposition of A. R. Surgenor  
taken at the time of taking an  
account in the above styled  
Cause, on the 10<sup>th</sup> March 1884,  
at the Clerk's office of Lee Circuit  
Court

A. R. Surgenor a witness of  
lawful age being duly sworn  
deposes and says -

The note which I executed to the  
Deft. Babb, Guar. to on the 19<sup>th</sup> day  
of March 1881, for \$415.52, is all  
that I ever said Babb - as Guardian,  
As stated in my answer filed  
in this Cause - I am indebted  
to said Babb in a much larger  
sum than his indebtedness on  
account of his Guardianship to  
said minor heirs herein mentioned.

A. R. Surgenor

Sworn to before me March 10<sup>th</sup> 1884.

J. A. S. Hyatt

Clerk

depos  
# which will be January 1<sup>st</sup> 1885.



Thos. J. Ely et al  
vs <sup>jointly</sup> Depo.

Wm. A. Babb Guar

Filed March 10 1884

J. A. Hyatt  
clerk

(A)



Virginia  
Lee County Circuit Court Clerk's Office  
January 17 1883

Thos J. Ely et al      Plffs }  
vs } In Chancery  
Wm A. Babb et al      Dfts }

This day Thos J. Ely, Plff  
in the above styled Cause person-  
ally appeared before me in my  
Office, and made oath in due  
form that Wm A Babb - one of  
the dfts is a non resident of  
this State. Given under my hand &c  
J. A. Hyatt Clerk



Thos J. Ely et al  
vs  
3 Defendant  
Wm A. Babbitt et al



Thos J. Ely et al      Plffs }  
vs      In Chancery  
Wm. A. Babb et al      Defts. }

To the Hon. Jno A. Kelly Judge  
of the Circuit Court for Lee County Va.

By a decree entered in this cause  
on the 4<sup>th</sup> April 1883, the undersigned  
Court was directed, after giving the deft  
Babb written notice &c, to take, state and  
settle the guar. account of said Babb-  
as guar for the minor heirs of R. B. Dawant  
decd. And by reference to a letter,  
in answer to my notice, from said  
Babb marked "C," and herewith filed;  
it will appear that I gave the notice  
required. And I have on this the  
1<sup>st</sup> day of August 1883, proceeded  
to state said guar. account, by  
reference to a copy of a receipt which  
said Babb as guar. gave to James W. Jaynes  
the former guar. on the 31<sup>st</sup> Aug 1880,  
herewith filed marked "A." There appears  
to have come to his hands as such  
guar. the sum of \$472.18, and this  
is the only amount which I am informed  
of his having received; and by reference  
to Statement of his account herewith  
filed marked "B," it will be seen that



I charged said Guar. with this amount  
\$472.18 and with annual interest added  
to the principal each year, down to  
the 31<sup>st</sup> day of August 1883, which  
statement results in finding in  
said Guardians hands on the 31<sup>st</sup>  
day of August 1883, the sum of  
\$562.37 due his said wards. As  
appears by a statement in his said  
letter he expended a small amount  
for books & tuition, but no proper  
voucher appears therefor; it is  
also alleged that the deft Surgeon  
owes him a note, which is not ren-  
ewed, for \$415.53 how this may  
be I am not prepared to say;  
however these facts are not  
material nor do they alter his  
indebtedness to his said wards.

Respectfully submitted  
J. A. St. Hyatt Comr.



Thos. J. Ely et al  
vs Cour's Report  
William A. Babb et al

Filed Aug 13<sup>th</sup> 1883.

J. A. Hyatt  
clerk

Cour's fee \$5.00

Chd 134



To the Hon. Jm. A. Kelly Judge &c.

The undersigned having been appointed a Special Commissioner by your Honor in the Chancery Cause of Thos. J. Elget al vs Wm. A. Babb Guar. &c now pending &c. by a decree entered therein at the August Term 1883, & which directed the amount, which defendant Surgenor owed to said Babb, on account of the money borrowed by him from said Babb as Guardian &c, ascertained.

Respectfully reports, that by Mr. Surgenor's deposition here filed marked "A." it will appear that the only amount he owes said Babb as Guar. &c is the note a copy of which is herewith filed marked "B." executed on the 19<sup>th</sup> March 1881, for \$415.52, although Mr. Surgenor did not renew said note annually, he agrees and allows Babb compound interest which I calculate on said note to March 31<sup>st</sup> 1884, making the aggregate amount of said note and interest on said date the sum of \$495.15 - see Exhibit "C." I have also shown by Statement "D." of said Guardians account herewith filed, that said Guardian owes to his said wards on the 31<sup>st</sup> March 1884, the sum of \$579.24, and after



giving said guar. credit for the amount owing to him by said Surgeon as such Guardian, leaves him still owing to his said wards the sum of \$84.09 on the 31<sup>st</sup> March 1884.

Said Surgeon is indebted to said Babb. on other business relations to a greater extent than this amount but said indebtedness is not due nor payable till the 1<sup>st</sup> January 1885. See also Surgeons Depo. marked "A."

All of which is respectfully

Submitted  
J. A. Hyatt  
March 10<sup>th</sup> 1884.

Thos. J. Ealy et al  
vs  
Morris 2<sup>nd</sup> Report

Wm. A. Babb Guar & Co

Filed March 10/1884

J. A. Hyatt  
Clerk

Courts fee - - - \$2.50



Received Jonesville Va. August 31st 1880 of  
James M. Payne former Guardian of Mary P.  
Good to the cash & interest of R. P. Good  
said one note executed to said Guardian by  
Joseph A. Blakemore & James P. Muncy March  
19th 1880. due one day and for \$400 00 Four hun-  
dred & three <sup>00</sup>/<sub>100</sub> dollars, Also one note in the  
said Blakemore & Muncy executed by them to said  
Guardian May 1st 1880 for \$400 00 capital  
dollars, due March 20th 1881 with interest from date  
and Eight dollars & Eighty five cents in cash & in  
said notes together with their interest to date.  
The said cash amount is the aggregate of  
the sum of \$400 00 and also the amount due  
said Payne Good as late was shown for said  
wards as shown by her settlement this day made  
by Commissioner James H. Cox

William A. Rabb Guardian  
for Mary P. Good to receipt  
Check  
Sent John R. Gibson Clerk



W. A. C. C. C. C.  
to C. C. C. C. C.  
C. C. C. C. C. C. C.

175



KNOW ALL MEN BY THESE PRESENTS, THAT WE,

*John R. Smith & Co. Executors of the estate of*  
of LEE COUNTY, are held and firmly bound unto **THE COMMONWEALTH OF VIRGINIA**, in the sum  
of *one hundred and fifty* dollars; to which payment,  
well and truly to be made to the said Commonwealth, we bind ourselves jointly and severally, firmly by these presents. Wit-  
ness, our hands and seals, this *10th* day of *March* 18*70*.  
THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above bound *John R. Smith & Co.*  
have been appointed Guardian for

*John R. Smith & Co. Executors of the estate of*  
minor heirs at law of *James R. Smith* deceased :  
Now, if the said *John R. Smith & Co.*  
shall faithfully perform and discharge the duties of *Guardian* office of *Guardian* aforesaid, then the above  
obligation to be void, otherwise to remain in full force and virtue.

Acknowledged in Court.



Samuel Johnson  
to the Hon. John Jay  
Sept. 1789



Wm. A. Babb. Guar. for Mary J. & Jacob M. Davault  
Minor heirs of R. B. Davault decd

To his said wards

On

1881	To this sum rec'd of Jas. W. Jayne their former Guar.		
Aug 31 <sup>st</sup>	on the 31 <sup>st</sup> Aug 1880, as per receipt filed in said		
	Jayne's final settlement (pr. copy A.)	\$472.	18
	To this sum interest thereon to Aug. 31 <sup>st</sup> 1881	28	33
	Total assets August 31 <sup>st</sup> 1881.	500.	51
1882. Aug 31 <sup>st</sup>	Interest thereon to Aug 31 <sup>st</sup> 1882	50.	03
		\$550.	54
1883 Aug 31 <sup>st</sup>	Interest thereon to Aug 31 <sup>st</sup> 1883.	31	83
	Total assets due Aug 31 <sup>st</sup> 1883.	\$562.	37



Ym A. Babb Guar for  
Mary J. & Jacob C. Davault  
Statement of his acct

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DD



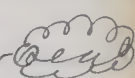
#4 15. 52

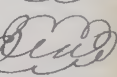
One day after date we bind ourselves heirs &c to pay Wm. A. Babb Guardian for Jacob C. & Mary J. Davault minor heirs at law of R. B. Davault deceased Four hundred & fifteen  $\frac{52}{100}$  Dollars for value received of him. "And we hereby waive the benefit of our homestead Exemptions as to this debt." Witness our hands and seals. March 19<sup>th</sup> 1881.

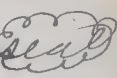
A Copy Teste.

J. A. Hyatt

Clerk

A. R. Surgenor 

S. S. Surgenor 

James W. Orr security 



Thos. J. Ely et al  
vs <sup>3</sup> copy of A. R.  
Singer note.  
Wm A. Babb Guar

---

(B.)



Note on A.R. Surgen et al, copy here filed, executed to  
Wm. A. Babb Guar<sup>to</sup> with interest from March 19<sup>th</sup> 1881 \$415. 52

Interest thereon one Year, to March 19<sup>th</sup> 1882 24. 96  
\$440. 48

Interest on this sum one Year to March 19<sup>th</sup> 1883. 26 42  
\$466 87

Interest on " " to March 31<sup>st</sup> 1884. 28 35  
\$495. 12



L. J. Ely et al  
J. Smith Surgeon  
res Note  
m A. Babb Quar

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(6)



Wm A. Babb Guar. for Mary J. & Jacob C.  
 Davault minor heirs of R. B. Davault decd.

1884

To his said Wards

Dr.

March 31<sup>st</sup> To this sum due as appears by last statement (B)

in this cause filed August 31<sup>st</sup> 1883. . . . \$562.37

Interest to March 31<sup>st</sup> 1884. 16.87

To this sum Total due wards Mar 31<sup>st</sup> 1884 \$579.24

By " " auth Note on Surgeon Mar 31<sup>st</sup> 1884 \$495.15

" " " Amt necessary to Square 84 09 \$579.24

Amt due wards March 31<sup>st</sup> 1884 \$84.09



Wm. A. Babb. Guar to  
as  $\frac{3}{3}$  Statement of Guar. acct.  
Thos. J. Ely, et al.

(C)



5415-52

One day after date we bind ourselves,  
heirs &c to pay to Wm A Bule Guardian  
for Jacob C. & Mary J Davault minor heirs  
at law of R. B. Davault decd. Four hundred  
& fifteen &  $\frac{52}{100}$  dollars for value received  
of him. And we hereby waive the benefit  
of our homestead exemptions as to this debt.  
Witness our hands and seals. March  
19th 1881

A. N. Surgenor  
S. S. Surgenor  
James W. Orr, Secretary



Mr A R Sangner  
Sir Please pay to  
James J Muncy \$78  
sevent eight dollars  
or their a bout it bein  
g the money the more  
y I ow the heirs of  
R B Davault  
an this shal be  
your reciept for the  
same. This Aug 29th

1883  
William A Babb

J. J. Muncey -  
for the  
petitioner, in the  
suit of - Eley and  
Associates against  
Wm A. P. Abbott and  
J. R. Ferguson.  
Jan. 26 1874



Billings by Wash<sup>ton</sup>

Co Arb

July 7<sup>th</sup> 1883

Mr A. A. Hayate yours  
of June the 20<sup>th</sup> came  
to and this morning  
I was glad to hear from  
you as to the business  
you want about I want  
to you to tend to it for  
me as I can't be there in  
person I wish I could  
be as to papers I have  
none but one note on  
A. R. Surgenor the amount  
is \$400.15 and 52 cts  
give March 19<sup>th</sup> 1881  
I tried to get a settle-  
ment and a new note  
before I left but  
I didn't get it he pro-  
mised to send me a note  
but he has not done it

their sum in to my hands  
\$68 dollars and 45 cts

The first day of Sept  
1880 which I paid  
for books and sending  
the children to school  
and their was \$65.35

I collected and brot  
to Arkansas with me  
I didn't meet with a favor-  
able opportunity to  
have the money I

~~the~~ executed my one  
note for the same now  
this is correct state-  
ment Just as I would  
state it if I was be-  
fore you if it is Strick-  
ly necessary to have the  
notes let me know and  
I will send them I  
don't know what is  
the reason why A. R.  
didn't do what he



being it I verry well  
 satisfied with the Coun-  
 try I have got me a  
 good farm an a nice  
 one it is level and  
 rich and as good wa-  
 ter as any body need  
 to want I have got the  
 finest grass I ever  
 saw in my life

After my kindest  
 regards to your self  
 and family hoping  
 to hear from you soon  
 this leave us all  
 well as common  
 This from

Wm. A. Babb  
 to J. A. Hyatt

415.52  
 8.85  
 65.36  
 489.72

he must to do tho he  
 has endured anything  
 he promises to do I hear  
 that Abe said he  
 was garrasheed on the  
 money he owe I dont  
 know how that is I can  
 get no information abo-  
 ut any thing from him  
 I wish you would let  
 me know how that is  
 now Mr Hyatt have the  
 confidence to be lea-  
 ve you will do me  
 write in this matter  
 I will cum back there  
 in December 1884  
 if nothing spens to  
 me that will be as  
 soon as I can cum  
 this is a fine farm  
 her for sale I wish  
 you would cum an



Wm. A. Babb Guar. Note on A. R. Surgenor March 19<sup>th</sup> 1881. \$415.52

Interest thereon to March 19<sup>th</sup> 1882 -

24.93  
\$440.45

Interest thereon to March 19<sup>th</sup> 1883

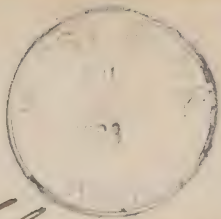
26.42  
\$466.87

Interest to March 19<sup>th</sup> 1884.

28.01  
\$494.88  
78.50  
\$572.88

Calculation  
Surgeon Note  
to March 19 1884





Mr. J. A. Hyatt  
Jonesville, Lee Co

Va

(6)

$$\begin{array}{r} 440.45 \\ \hline 6 \\ 2642.70 \\ \hline 418.52 \\ \hline 6 \\ 2498.12 \end{array}$$

$$\begin{array}{r} 466.87 \\ \hline 6 \\ 28,01,22 \end{array}$$



Virginia

At a County Court begun and held for Lee County  
at the Court house thereof, On Tuesday the 21st day of Aug 1883.  
The court doth appoint James J. Muncy Guardian for  
Mary J. & Jacob L. Davault. minor heirs heir at law  
of R. B. Davault deceased, and thereupon the said Muncy  
took the oath prescribed by law, and together with Wm  
Payne his security entered into and acknowledged a  
bond in the penalty of one thousand dollars. condi-  
tioned according to law.

Attest Teste John R. Gibson clerk

James J. Muncy Guar-  
dian for Mary J. & Jacob  
L. Danault.

Copy of order of Court.

---



Virginia

In the Clerk's Office of the District Court  
for Lee County, at the Court House thereof on  
the 18<sup>th</sup> day of January 1886.

Thomas J. Polz et als

Plffs

vs

Sam. Buchanan

Wm. A. Babb et als

Defts

The object of this suit, is to have  
settlement made of the Guardianship account  
of the Defendant Wm. A. Babb, Guardian for  
Mary J. Duvault and Jacob C. Duvault, and  
to ascertain the extent of his liability to his  
said wards for which his securities in his  
official bond as such Guardian are liable,  
and to subject to the payment & ~~to pay~~  
~~debit~~ and discharge of said liability, the  
fund in the hands of Defendant A. B. Sargent  
owing to said Babb, and which has been  
attached for the purpose. And it appearing  
from an affidavit filed in this cause  
that the Defendant Wm. A. Babb is a non  
resident of this State it is ordered that  
he appear here within one month after  
the publication of this order and do  
what may be necessary to protect his  
interest in this suit.

Attest J. A. Hyatt Clerk

R. D. P. On P. P.



Thos. J. Ely et als  
vs. O. S. Pub

Wm. A. Babb et als

I certify that I posted  
a copy of the within  
Order Publication on  
the front door of the  
Court house on the  
18 day of January 1886  
that being Court day  
and delivered a like  
copy to the Sheriff  
sentinel on the same  
day for Publication  
the 18 Jan 1886.

J. H. Hyatt  
Clerk



# The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

*Wm. A. Babb and A. R. Surgeon James I. R. Babb and Jacob C. Babb.*

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

*February*, next, being rule day to answer a bill in Chancery, exhibited in our said Court against

*Wm. by Chas. J. Bryant*

*at J. L. Bessil*

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the Court-House

this 17<sup>th</sup> day of *January* 188<sup>3</sup>; in the 107<sup>th</sup> year of the Commonwealth.

*J. A. Hyatt* CLERK.

The Officer serving this Spec will attach the  
 Estate of the Lt. W. A. Babbs in this  
 State, and the same in his hands  
 so to receive & provide that the same  
 may be further secured & liable to the  
 future wishes of the Court.

J. H. H. H. H.

Chas. H.

Wm. L. H. H. H.

Wm. L. H. H. H.

Wm. L. H. H. H.

Wm. L. H. H. H.

Wm. L. H. H. H.

Wm. L. H. H. H.

Chas. H.



# The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

*Wm. A. Babb and  
A. R. Surgenor, Messrs. J. E. Garrett  
and Jacob C. E. Garrett.*

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

*February* next, being rule day to answer a bill in Chancery, exhibited in our said Court against

*them by* *Chas. J. Ely and*  
*J. I. Cecil*

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the Court-House  
this *18th* day of *January* 1883; in the *107th* year of the Commonwealth.

*John A. G. Hyatt* **CLERK.**

*Attest  
J. A. G. Hyatt  
Clerk*

The Officer receiving this Spec. will attach  
the Estate of the Deceased H. A. Webb in  
this estate and the same in his hands, so  
to signify & preserve that the same may  
be both saving and liable to the future order  
of the Court.

J. A. Bennett Clerk

Copy to

J. A. Bennett

Wm. A. Webb

CHIEF



## Publisher's Certificate.

Jonesville, Va., March 28, 1883

I. F. R. STICKLEY, *Publisher of the LEE COUNTY SENTINEL, a weekly newspaper published at Jonesville, Lee County, Virginia, do certify that the annexed Chancery Order was published four successive weeks in said newspaper, publication ending* Feb'y 16, 1883

J. R. Stickley, *Publisher.*

*Publisher's fee \$5.00*

VIRGINIA—In the Clerk's office of the Circuit Court for Lee county, at the Court House thereof on the 18th January, 1883.  
Thomas J. Ely, et als., Plffs., vs. Wm. A. Babb, et als., Defts.

### IN CHANCERY.

The object of this suit is to have settlement made of the guardianship account of the decedant, Wm. A. Babb, guardian for Mary J. Davault and Jacob C. Davault, and to ascertain the extent of his liability to his said wards, for which his securities in his official bond as such guardian are liable, and to subject the payment and discharge of said liability the fund in the hands of defendant A. R. Surgeoner, owing to said Babb, and which has been attached for the purpose, and it appearing from an affidavit filed in this cause that Wm. A. Babb is a non-resident of this State, it is ordered that he appear here within one month after due publication of this order, and do what may be necessary to protect his interest in this suit.

A copy—test:

J. A. G. HYATT, Clerk.  
R. D. & ORR, P. Q.

Thos. J. Ely et als  
3 certificate of  
vs. 3 O. Pule  
Wm A. Babb

---

Prio fee - 5¢.



Standing No. 395

—IN—

LEE CIRCUIT COURT.

Pl'ffs ATTY. <i>R. D. [unclear]</i>	<i>Ely Thomas J</i>	Def'ts ATTY.
Pl'ffs costs. \$ .....	<i>vs. Bill in Chancery.</i>	Def'ts costs. \$ .....
.....	<i>Mr A Babbal</i>	
.....	<i>3 quon</i>	
.....		
.....		
.....		
.....		
Total \$		\$

Reference Docket... Page 32 Line 49  
1st calling..... Term 188  
Decided March..... Term 1884



395